

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID PEREZ-RAYA,

Defendant.

**4:15CR3039**

**ORDER**

Defendant has moved to continue the pretrial motion deadline, ([filing no. 26](#)), because the defendant is awaiting resolution of a motion in a related case which will affect his decisions in the current matter. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, ([filing no. 26](#)), is granted.
- 2) Pretrial motions and briefs shall be filed on or before February 1, 2016.
- 3) Trial of this case is continued pending resolution of any pretrial motions filed.
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and February 1, 2016, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

December 2, 2015.

BY THE COURT:

*s/ Cheryl R. Zwart*  
United States Magistrate Judge